

## LAW OFFICE OF JOHN F. SCHUTTY, P.C.

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October 23, 2007

VIA FACSIMILE - (212) 805-7920

Hon. Shira Ann Scheindlin  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

Re: Alan Newton v. City of New York, et al.  
Index No. 07-CV-6211 (SAS) (HBP)

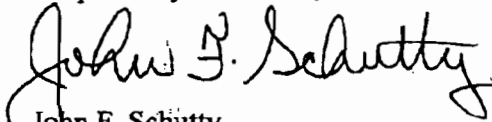
Dear Judge Scheindlin:

I represent Plaintiff Alan Newton in the within action. I am writing to request that Your Honor adjourn the preliminary conference scheduled for noon tomorrow for a week or two. My adversary, Arthur Larkin, Esq., has graciously consented to the requested adjournment.

My father was diagnosed with lung cancer three weeks ago. He died last Thursday and was buried yesterday. As I have spent most of the last three weeks away from my office, I have been unable to confer with Mr. Larkin about a proposed Scheduling Order. An adjournment of a week or two will allow me to complete the latter task.


Mr. Larkin has advised that he is available on the following dates and times in early November for the conference: the 5th (all day), the 7th (all day), the 13th (all day), the 14th (after 11 a.m.), the 15th (before noon) and the 16th (all day). I am also free on those dates and at those times.

Respectfully submitted,

  
John F. Schutty  
(JS 2173)

cc: Arthur G. Larkin, Esq. [via fax]

The party's request to adjourn the preliminary conference is hereby granted. The conference is rescheduled for 4:30 p.m. on November 7, 2007.  
So ordered.

  
Shira A. Scheindlin, U.S.D.J.

Date: October 23, 2007

